

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

---

Bryan Morak, et al.,	)
	)
	)
	)
Plaintiffs,	)
	)
v.	) No. 4:07-CV-01535
	)
CitiMortgage, Inc.	) Judge E. Richard Webber
	)
	)
Defendant.	)
	)

---

**STIPULATED ORDER OF DISMISSAL WITH PREJUDICE OF ALL CLAIMS OF  
ONE ADDITIONAL OPT IN FILED ON DECEMBER 9, 2009**

---

The Court, having entered an order approving the settlement of the claims in this matter, and having entered a Stipulated Order of Final Dismissal on June 9, 2009, hereby DISMISSES WITH PREJUDICE any and all claims that were raised in the above-styled lawsuit by one additional individual who has consented (through the executor of her estate) to opt into this case and is identified in the Consent to Opt Into Lawsuit and Dismiss Claims form filed with the Court on December 9, 2009.

Each party shall bear his, her, or its own costs and attorneys' fees in this litigation. Additionally, the Court hereby RETAINS JURISDICTION over the Confidential Stipulation and Settlement Agreement ("Agreement") and any disputes arising under the Agreement for purposes of enforcing the provisions set forth therein.

Neither this Order, the Agreement, nor any other documents or information relating to the settlement of this action shall constitute, be construed to be, or be admissible in any proceeding as evidence: (a) that any group of similarly situated or other employees exists to maintain a

collective action under the Fair Labor Standards Act, or class action under Rule 23 of the Federal Rules of Civil Procedure, or comparable state laws or rules, (b) of an adjudication of the merits of this case or that any party has prevailed in this case, or (c) that the Defendant or others have engaged in any wrongdoing.

SO ORDERED this 11<sup>th</sup> day of December, 2009,



Judge E. Richard Webber